

A L Boyd, Bridgeport.  
 W H Holmes, Jim Ned.  
 J J Terrell, Decatur.  
 O D McCright, Anneville.  
 J E Cochran, S E Hatchet, Alvord.  
 T H Alexander, J A Wilson, Booneville.  
 P W Noorwood, W Netherland, Crafton.  
 W J N Welborn, Cottondale.  
 C V Terrell, W D Gose, W A Bonner,  
 C W Martin, R H Beall, G W Trenchord,  
 B F Allen, W H Bullock, T J McMurry,  
 H D Donald, J P Graham, A Devereux, Decatur.

Wilbarger.

R P Elliott, B W Edgell, C Wheeler,  
 J P Orr, M N Sevier, C C Wells, R W Starr,  
 Vernon.  
 C F Doan, Doan's Store.  
 T A Whetstone, W L R Dickson, H C Thompson,  
 Vernon.  
 W G Gross, Vernon.  
 C E McComas, Harrold.  
 D R Britt, Vernon.  
 R W Starr.  
 F C Beckett.

Wood.

J H Newsome, Thos Bruce, George A Cage,  
 S R Bruce, H M Cate, Mineola.

J M Langford, Winsboro.  
 J H Williams, Andrews.  
 D W Crow, Quitman.  
 Charles Gorman, M D Carlos, Winsboro.  
 C C Higginbottom.

Williamson.

J A Rumsey, A P Johnson, Corn Hill.

J B Wright, J. W. Posey, J W Wayman,  
 Granger.

L M Mays, Old Round Rock.  
 J P Davis, W H Farley, Hutto.  
 F W Carothers, E A Strickland, C Morelle,  
 Sydney Seymour, John Penn, R H Montgomery,  
 R A Price, Levi Pennington, T B Cochran,  
 Georgetown.

A G Ganaway, Florence.  
 T S Reed, James Elliott, Gabriel Mills.

J P Magill, Leander.  
 John Threadgill, J W Parker, W F Robertson,  
 John Lloyd, William Elliott, George R Scott,  
 H Dickson, Taylor.

John N Lyle, H Greely Woods, Thos Woods,  
 H A Christie, Edward E Diggs, H M Hauff,  
 Round Rock.

J G Ward, Liberty Hill.  
 J G Gordon.  
 S M Slaughter, S J Barker, Beau Kiss.

E T Kelley, W N Hardeman, Bartlett.

H B Beck, Jolleyville.

Silas A. Abbott, Beau Kiss.

William Scheyle, Gabriel Mills.

J R Kuler, Bartlett.

Young.

G H Crozier, Graham.

W L Craves.

W B Pope.

Horatio Bulkely,

R Hollingsworth.

A B Gant.

Robert Holman.

A B Gant, Graham.

E S Graham.

Zapata.

James Downing.

James Downing, Carizo.

Zavalla.

W H Robinson, Loma Vista.

J E Shook, Batesville.

## SEVENTY-SECOND DAY.

SENATE CHAMBER. }  
 AUSTIN, TEXAS, April 4, 1887. }

The Senate met pursuant to adjournment.

Lieutenant Governor Wheeler in the chair.

Roll called.

Quorum present.

Prayer by the chaplain, Dr. Smoot.

On motion of Senator Upshaw,

The reading of the Journal of Saturday was dispensed with.

On motion of Senator Davis,

Senator Camp was excused for the day on account of sickness.

On motion of Senator Bell,

Senator Douglass of Grayson was excused for the day on account of sickness.

## BILLS AND RESOLUTIONS.

BY SENATOR MACMANUS.

Whereas, The people of Ireland are engaged in a struggle with the British government for an amelioration of their social and political condition, and the right of managing their local affairs; and

Whereas, The people of Texas and their representatives cannot regard with indifference the struggles of a kindred people, seeking, by legitimate means, the blessings enjoyed by themselves as the fruits of the heroic and triumphant struggles of the Fathers of the Republic and the State of Texas; therefore.

Be it resolved by the Senate of the State of Texas, That Charles Stuart Parnell and his compatriots, in their struggles to ameliorate the condition of the people of Ireland and secure them the right of local self government, by methods approved by Gladstone, the first statesman of Great Britain, and the popular voice of the civilized world, are entitled to and have the hearty sympathy of the people of Texas and of this body as their representatives.

On motion of Senator Armistead, The resolution was adopted.

On motion of Senator Bell, House bill No. 608,

"An act for the relief of S. S. Randall, William Walker, J. W. Gaines, W. W. Parr, John W. Stevens, L. O. Starkey, S. W. Bettijohn, O. B. Robinson, E. J. Hughes, J. S. Storkied, and the relief of such parties by whom and through whom they hold," was taken up and read second time and passed to third reading.

On motion of Senator Bell,

The constitutional rule was suspended and the bill was placed on its third reading and final passage by the following vote:

YEAS—23.

Abercrombie,	Harrison,
Armistead,	Jarvis,
Bell,	Knittle,
Burges,	McDonald,
Burney,	MacManus,
Calhoun,	Simkins,
Claiborne,	Stinson,
Davis,	Terrell,
Douglass of J,	Upshaw,
Frank,	Woods,
Garrison,	Woodward.
Glasscock,	

NAYS—None.

ABSENT—6.

Allen,	Houston,
Field,	Lane,
Gregg,	Pope.

The bill was read third time and passed by the following vote:

YEAS—24.

Abercrombie,	Harrison,
Armistead,	Jarvis,
Bell,	Knittle,
Burges,	Lane,
Burney,	McDonald,
Calhoun,	MacManus,
Claiborne,	Simkins,
Davis,	Stinson,
Douglass of J.	Terrell,
Frank,	Upshaw,
Garrison,	Woods,
Glasscock,	Woodward.

NAYS—None.

ABSENT—5.

Allen,	Houston,
Field,	Pope.
Gregg,	

On motion of Senator Armistead House bill No. 607,

"An act to relinquish to W. T. Perry, of Cooke county, Texas, the rights and interest of the State of Texas to certain lands in said county."

Was taken up, read second time and passed to third reading.

On motion of Senator Armistead the constitutional rule was suspended, and the bill was placed on its third reading and final passage, by the following vote:

YEAS—23

Abercrombie,	Harrison,
Armistead,	Houston.
Bell,	Jarvis,
Burges,	Knittle,
Burney,	Lane,
Calhoun,	MacManus.
Claiborne,	Simkins,
Davis,	Terrell,
Douglass of J,	Upshaw,
Garrison,	Woods.
Glasscock,	Woodward.
Gregg,	

NAYS—2.

Frank,	Stinson.
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ABSENT—4.

Allen,	McDonald,
Field,	Pope.

The bill was read third time and passed.

On motion of Senator Abercrombie, House bill No. 271,

"An act to provide for the sale of a certain class of bonds and the revision of their proceeds," was taken up and read second time with committee amendment.

The committee amendment was adopted.

On motion of Senator Abercrombie, The Constitutional rule was sus-

pended and the bill was placed on its third reading by the following vote:

## YEAS—21.

Abercrombie,	Gregg,
Armistead,	Jarvis.
Bell,	Knittle
Burges,	Lane,
Burney,	MacManus,
Calhoun,	Stinson,
Claiborne,	Terrell,
Davis,	Upshaw,
Frank,	Woods,
Garrison,	Woodward.
Glasscock,	

## NAYS—none.

## ABSENT—8.

Allen,	Houston,
Douglass of J,	McDonald,
Field,	Pope,
Harrison,	Simkins.

The bill was read third time, and passed by the following vote:

## YEAS—23.

Abercrombie,	Gregg,
Armistead,	Harrison,
Bell,	Jarvis,
Burges,	Knittle.
Burney,	Lane,
Calhoun,	MacManus.
Claiborne,	Stinson,
Davis,	Terrell,
Field,	Upshaw,
Frank,	Woods,
Garrison,	Woodward.
Glasscock,	

## NAYS—1.

Houston.

## ABSENT—5.

Allen,	Pope,
Douglass of J,	Simkins.
McDonald,	

## SENATOR CLAIRORNE

Moved to suspend the regular order of business and take up substitute House bill No. 14 and 37 (the railway commission bill).

## SENATOR BURGESS

Moved a call of the Senate.

Call sustained.

Roll called, and Senators Allen, Pope

and Simkins were found to be absent without leave.

The Sergeant-at-Arms was dispatched to bring in the absent Senators, and

The pending business went to the table.

On motion of

## SENATOR BELL

House bill No. 576,

"An act to divide Tom Green county into five new counties, and to provide for their organization,"

Was taken up and read second time.

## SENATOR BURNEY

Moved to amend by striking out all in said bill except that which pertains to Glasscock county, and conforming caption thereto.

Adopted.

The bill was passed to third reading.

On motion of Senator Bell,

The constitutional rule was suspended and the bill was placed on its third reading and final passage by the following vote:

## YEAS—24.

Abercrombie,	Glasscock
Armistead,	Gregg,
Bell,	Harrison,
Burges,	Jarvis,
Burney,	Knittle,
Calhoun,	Lane,
Claiborne,	McDonald,
Davis,	MacManus,
Douglass of J,	Stinson,
Field,	Upshaw,
Frank,	Woods,
Garrison,	Woodward.

## NAYS—none.

## ABSENT—6.

Allen,	Pope,
Camp,	Simkins,
Houston,	Terrell,

The bill was read third time and passed by the following vote:

## YEAS—21.

Abercrombie,	Harrison,
Armistead,	Houston,
Bell,	Jarvis,
Burges,	Lane,
Burney,	McDonald,
Calhoun,	MacManus,
Davis,	Stinson,

Douglass of J, Terrell,  
Field, Woods,  
Frank, Woodward.  
Gregg,

NAYS—1.

Claiborne.

ABSENT—7.

Allen, Pope,  
Garrison, Sinkins,  
Glasscock, Upshaw.  
Knittle,

The following message was received from the House:

HOUSE OF REPRESENTATIVES, }  
AUSTIN TEXAS, April 4, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—I am instructed by the House to inform the Senate that the House passed the

Senate joint resolution No. 17,

To amend section 4, Article 6, of the Constitution of the State of Texas.

Also that the House concurs in Senate amendments to House bill No. 370.

WILL LAMBERT,  
Chief Clerk.

Senator Armistead offered the following resolution:

Resolved, That a committee of five be appointed by the Senate to act with a like number from the House, whose duty it shall be to publish an address to the people upon the constitutional amendments submitted by the Twentieth Legislature.

Adopted.

The President appointed Senators Houston, Field, Harrison, Armistead and McDonald on such committee on the part of the Senate.

SENATOR FRANK

Called up the resolution about indexing the Journal.

The resolution retaining the Calendar Clerk five days was adopted.

The resolution retaining the Secretary, etc., was taken up and considered with the substitute retaining the Secretary, Assistant Secretary and Journal Clerk.

SENATOR UPSHAW

Moved to amend the resolution by adding "the General Committee Clerk" after "First Assistant Secretary."

Lost.

The substitute was adopted by the following vote:

YEAS—14.

Abercrombie, Frank,  
Armistead, Gregg,  
Bell, Houston,  
Burgess, Knittle,  
Burney, Lane,  
Calhoun, Terrell,  
Douglass, of J, Upshaw.

NAYS—11.

Claiborne, McDonald,  
Davis, MacManus,  
Garrison, Stinson,  
Glasscock, Woods,  
Harrison, Woodward.  
Jarvis,

ABSENT—6.

Allen, Field,  
Camp, Pope,  
Douglass of G, Sinkins.

SENATOR GLASSCOCK

Moved to amend by saying the secretary shall be employed fifty days.

Unanimously adopted.

The substitute as amended was adopted.

SENATOR WOODS

Offered the following resolution:

Resolved by the Senate, the House concurring, That a joint committee of the two houses, consisting of three members of each house, be appointed to wait upon the Governor and notify him that the Twentieth Legislature is ready to adjourn, and that the Senate is ready to receive any communication he may wish to make.

Senators Wood, Gregg and Burgess were appointed on said committee.

Ordered to lie on table subject to call.

The following message was received from the House:

HOUSE OF REPRESENTATIVES, }  
AUSTIN, April 4, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—I am instructed by the House to inform the Senate that the House has adopted the report of the minority of the free conference committee on House bill No. 448—general appropriation bill, on the item granting \$87,801.60 to the University, etc., by a vote of 69 ayes, 20 nays.

WILL LAMBERT,  
Chief Clerk House Representatives.

## SENATOR UPSHAW

Offered the following resolution:

Resolved, That the General Committee Clerk be retained ten days to assist the Secretary and do such other work as may be required of him, and to receive the same pay as the Secretary.

Adopted.

## SENATOR JARVIS

Sent up the following special committee report:

COMMITTEE ROOM, }  
AUSTIN, April 4, 1887. }

To the Hon. T. B. Wheeler, President of the Senate  
and Hon. Geo. O. Pendleton, Speaker of the House  
of Representatives:

Sirs—Your committee of free conference, to whom were referred House bill No. 448, known as the general appropriation bill, have had the same under consideration, and have agreed upon the following amendments, which said amendments are set forth in red ink on the printed bill hereto attached, and we recommend that the same do pass.

JARVIS,  
GLASSCOCK,  
ARMISTEAD,  
FRANK,  
CLAIBORNE,  
For the Senate.  
GRESHAM,  
TRUIT,  
CHRISTENBERRY.  
For the House.

Said majority report, written in red ink, referred to above, is as follows:

## AMENDMENTS.

## EXECUTIVE DEPARTMENT.

Add in line 1, page 2, after the word "gas," the words "for mansion."

Add after line 8, page 2, under executive office the following:

Water for mansion per contract, \$100 each year.

## TREASURER'S DEPARTMENT.

Add between lines 3 and 4, Treasurer's Department, the following: Salary of receiving clerk, \$1,500 each year.

Strike out "three" in line 6, and insert "two," and strike out "\$3,000" and insert "\$2,400."

Add between lines 7 and 8, Treasurer's Department, the following:

Salary for examining clerk, \$1,400 each year.

Add to last line, Treasurer's Department, the line 10, to read as follows:

Salary of two clerks, \$1,000 each, \$2,000 each year.

Strike out lines 1 and 2, page 3, Treasurer's Department.

## COMPTROLLER'S DEPARTMENT.

In line 4, strike out "\$1,600 each year" and insert "\$1,500 each year."

In line 6, strike out "\$1,400 each year," and add "\$1,500," and strike out "\$2,800 each year," and insert "\$3,000."

In line 13, strike out "9" and insert "8," and strike out "\$9,000" and insert "\$8,000."

Add between lines 18 and 19, the following:

Salary of night watchman for ground floor, \$900. \$900. To be appointed by Comptroller.

Add to Comptroller's Department, at the end of said department, the following:

To pay extra clerk hire from March 1 to April 5, \$87.50.

## GENERAL LAND OFFICE.

Add after the word "clerks," in line 10, these words, "\$1,200 each."

Strike out "\$2,750 \$2,750" in line 11, and insert "\$1,400 each, \$2,800 \$2,800."

In line 14, strike out "4" and insert "5," and strike out "\$4,800 each year," and insert "\$6,000 each year."

Add after the word "clerks," in line 16, "\$1,080 each."

In line 22, strike out "7" and insert "8," also strike out "\$8,400 each year," and insert "\$9,600 each year."

Add after the word "repairs," in line 30, the words "or building."

In line 31, strike out "\$2,000" and insert "\$1,000."

Add to the end of the General Land Office Department the following:

32 Purchase of iron safe..	\$600	\$600
33 Water and repairs of fixtures.....	500	500

## ADJUTANT GENERAL'S OFFICE.

In line 10 strike out "\$50,000" and insert "\$30,000."

## DEPARTMENT OF INSURANCE, STATISTICS AND HISTORY.

Add after the word "postage," in

line 11, the word "blanks," and strike out after "\$650 each year," and insert "\$1150 each year."

In line 13 strike out "\$480" each year and insert "\$360" each year.

#### DEPARTMENT OF SUPREME COURT.

In line 7 strike out "\$300" each year, and insert "\$540" each year.

Add to the Supreme Court Department the following:

Books and stationery for Commission of Appeals, "\$400" each year.		
Fuel and light for Commission of Appeals.....	\$250	\$250
Postage and contingent expense.....	600	600
Furniture .....	400	400

In case the Commissioners of Appeals are not appointed, then this appropriation to be subject to orders of Supreme Court.

#### QUARANTINE DEPARTMENT.

In line 1 strike out "\$30,000" each year, and insert "\$25,000" each year.

#### JUDICIAL DEPARTMENT.

In line 1 strike out "\$105,000 each year," and insert "\$107,000 each year."

#### SUPERINTENDENT PUBLIC BUILDINGS.

In line 9 strike out "electric light plant, \$1200 each year," and insert "lighting temporary capitol \$600 each year."

#### STATE LUNATIC ASYLUM.

In line 10 strike out "800 each year," and insert "\$780 each year."

In line 11 strike out "\$360 each year," and insert "\$480 each year."

In line 19 strike out "four" and insert "five."

Add after the word "watchmen," "\$360 each."

Strike out in same line, "\$1440 each year," and insert "\$2160 each year."

In line 23 strike out "four" and insert "six." Strike out "\$960 each year," and insert "\$1440 each year." Add after the word "seamstresses" "\$240 each."

In line 25 strike out "\$960 each year," and insert "\$600 each year."

In line 3, page 10, strike out "\$600

each year." and insert "\$800 each year."

In line 9 strike out "1500" in each line, and insert "\$2000" in each line.

#### MISCELLANEOUS.

H. L. Holland, for four months' service, \$80.

John Davidson, for services in assorting valuable papers, \$150.

Wyatt Lipscomb, sheriff Milam county, for arresting Ben Walker and conveying him from Cameron to Comanche county, \$69 35.

E. G. Douglas, as sheriff of Grayson county, for conveying Jim Harrison from Grayson county to Foxville, said Harrison being charged with murder, \$209.50.

#### DEAF AND DUMB ASYLUM.

Page 12, deaf and dumb asylum, line 15, strike out \$600 in each column and insert \$720 in both columns.

In line 16, strike out \$600 in both columns and insert \$720 in both columns.

In line 17, after "supplies" add "water."

Between lines 21 and 22 add, "Tile drainage, \$220."

Between lines 22 and 23 add, "electric light plant, \$1200."

#### BLIND ASYLUM.

Page 13, blind asylum, line 12, read, Repairing old furniture and buying new, \$1000."

In line 17, after "groceries" add, "water."

#### DEPARTMENT OF EDUCATION.

Page 14, department of education, line 1, strike out \$1500, \$1500, and insert \$1650, \$1650

In line 2, strike out \$1000, 1000, and insert \$1200, \$1200.

#### UNIVERSITY.

Page 15, State University, lines 19 and 20, strike out, "and all other debts due by the State," and strike out "fifty thousand dollars" in line 20 and "\$50,000" in line 21, and insert, "eighty-seven thousand eight hundred and one dollars and sixty cents, \$23,519.61 of which is permanent fund, and \$64,281.99 is available," and add after "Texas," in line 21, "and its branches, fifty thousand dollars of," and strike out \$50,000, in line 29, and insert \$87,801.60.

## AGRICULTURAL AND MECHANICAL COLLEGE.

Page 16, agricultural and mechanical college, line 4, strike out \$5000, \$5000, and insert \$15,000, \$10,000.

## MISCELLANEOUS.

Page 17, miscellaneous, line 7, strike out "feeding" and insert "conveying."

Page 18, line 16, strike out \$8600 and insert \$86.

Page 18, after line 32, add: "C. L. Thurman, for conveying prisoners, \$120; F. M. Moore, sheriff Kerr county, for service in the case of the State against F. A. Douglas, \$160; J. B. Reagan, sheriff Cherokee county, for expenses in arresting Charles Irby in Louisiana, \$149.50; W. V. Hughes, for money advanced the State, \$350."

The following minority report was also submitted:

COMMITTEE ROOM, }  
AUSTIN, April 4, 1887. }

Hon. George C. Pendleton, Speaker of the House of Representatives, and Hon. T. B. Wheeler, President of the Senate:

We, a minority of your committee of free conference on House bill No. 448, known as the general appropriation bill, beg leave to dissent from the recommendation of the majority in reference to the payment of \$87,801.60 to the University and its branches, and for the establishment of the medical branch at Galveston.

Without expressing an opinion as to whether the State is justly due the University this amount or not, we respectfully assume that in consideration of the number and amounts of the extraordinary appropriations this Legislature has seen proper to make and the gloomy prospect of collecting our usual amount of revenue, because of the distressed condition of many thousands of our tax paying citizens, that it is unwise and indiscreet to further burden the State treasury at this time by paying this at least disputed claim to the University.

In justification of this report, if any is needed, we refer to the large deficiency bill we have had to pass, amounting in round numbers to \$300,000; given for the relief of the drouth sufferers, \$100,000; for the establishment of a house of correction and reformatory, \$50,000, and for a branch asylum for the blind, and deaf and dumb of the colored race, \$50,000; be-

sides the cost of this Legislature and the increased appropriation to several State departments, because of constitutional amendments submitted, a changed land policy, etc.

Not less than \$725,000 has been or will be soon drawn from the treasury because of these items alone, and that, too, at a time when we can ill afford, in consideration of the distressed condition of the great industrial classes of our State, to demand of them a greater amount in taxes than is actually necessary for the economical administration of government.

In conclusion we beg to say that, although not indorsing all the items in this bill, we concur in the report of the majority of the committee with the exception of the item hereinbefore mentioned, and that we adopt the said majority report and ask that it be made a part hereof with the exception of said item.

MILLS,  
TATE,

Of the House Committee.

On motion of Senator Jarvis,  
The minority report was substituted for the majority report and was adopted.

On motion of Senator Bell.

The Senate agreed to go into an election for President pro tem.

Senators Gregg, Abercrombie and Lane were appointed tellers.

Senator Bell nominated Senator Terrell for president pro tem.

Senator Glasscock nominated Senator Woods.

A ballot being cast up Senator Terrell received ten (10) votes and Senator Woods received fourteen (14) votes, and Senator Abercrombie received one vote.

Senator Woods having received a majority of all the votes cast was declared elected.

Senators Harrison, Glasscock and Terrell were appointed a committee to escort the President pro tem. elect to the chair.

The President pro tem. was administered the oath of office and thanked the Senate for the honor conferred upon him.

## SENATOR CLAIBORNE

asked leave to send up reasons for voting against the appropriation bill,

On motion of Senator Bell,

He was allowed to do so.

Hon. T. B. Wheeler, President of the Senate :

I vote "no" on the general appropriation bill for the following reasons:

It seeks to and does increase the general expenses of the State government in its every branch, while the condition of our State to-day (and in a large portion for the past two years) does not warrant the extravagance. The departments asked for more purely clerical labor than is required—"real or speculative." I find the pay of the clerical force employed average about fifteen per cent more than individual firms and corporations pay for like service. While I do not seriously object to salaries paid I do object to the small amount of labor performed. Individuals, firms and corporations paying the same rate of wages exact double the amount of labor. A largely less number can perform the work and vastly more satisfactory to both themselves, the heads of the departments and the people. An examination of the statement will show that the State pays about \$80,000 more per annum than the public weal requires.

Again, I find the extravagance in the asylums is a shame, and amounts to iniquity—with one single exception, at Austin, the blind asylum. And that even can be cut at least ten per cent without injury. By taking the reports and finding average daily attendance, and then find annual appropriation, you have the cost per capita, and for economic reasons, you will find it cheaper to board the inmates at some good hotel. Nor can I see any good reason why a lunatic in the Texas asylum for lunacy at Austin should cost more than those at Terrell. Nor can I see why people employed for the same positions should have different pay.

The appropriation for the State penitentiaries is extravagant. Cunningham & Ellis paid the State an average of \$21,000 per annum. The institutions now ask the State for (and have gotten) many thousands, and the system pursued is in direct conflict with the platform of the Democratic party. For these and sundry other reasons looking toward the success of the present State administration, I am in duty bound to vote "no."

The university of Texas as it has been conducted, is the most extravagant, and the cost for the education of a student is greater than any other similar institution in the world, and there can be no success unless business ability is developed to a greater extent

than has heretofore characterized the management.

JNO. M. CLAIBORNE,  
Senator Tenth district.

SENATOR DOUGLASS, OF JEFFERSON,

Called up the resolution to inform the Governor.

Adopted.

Senators Woods, Gregg and Burges were appointed on said committee on the part of the Senate.

(Senator Woods, President pro tem., in the chair.)

SENATOR GLASSCOCK

Offered the following resolution:

Resolved, That the Hon. T. B. Wheeler, President of the Senate, has made a faithful, impartial and efficient presiding officer of the Senate, and has the thanks of this Senate for the impartial and courteous manner in which he has acted with each and every Senator in all business coming before the Senate.

Adopted by rising vote.

SENATOR ARMISTEAD

Offered the following resolution:

Resolved, That the thanks of the Senate is hereby tendered the Senator from Harrison for the able and impartial manner in which he has discharged the duties of President pro tem of the Senate.

Adopted.

The following message was received from the House:

HOUSE OF REPRESENTATIVES, }  
AUSTIN, TEXAS, April 4, 1887. }

Hon. T. B. Wheeler, President of the Senate;

Sir—I am instructed by the House to inform the Senate that the House has laid on the table the following Senate concurrent resolution:

Resolved, That a committee of five be appointed by the Senate, to act with a like committee from the House, whose duty it shall be to publish an address to the people upon the constitutional amendments submitted by the Twentieth Legislature

WILL LAMBERT,  
Chief Clerk.

SENATOR LANE

Offered the following resolution:

Resolved that a committee of five Senators be appointed by the President



to prepare and publish an address to the people explanatory of the various constitutional amendments submitted by this Legislature, fully explaining the changes to be made by their adoption.

And also moved a call of the Senate on the adoption of the resolution.

Call suspended and resolution adopted.

The President appointed under the resolution Senators Houston, Field, Upshaw, Lane and Gregg.

Senator Gregg declined to serve, when Senator Abercrombie was appointed in his place.

Senators Abercrombie and Upshaw refused to serve, when Senators Burges and Calhoun were appointed in their stead.

Senator Burges declined to serve, when Senator Bell was appointed in his stead.

SENATOR LANE

Then moved to reconsider the vote adopting the resolution,

Which carried, and

SENATOR LANE

Then withdrew the resolution, because the Senators seemed to be unwilling to serve on the committee.

SENATOR BELL

Offered the following resolution, which was read and adopted:

Resolved, That W. M. Hunter be allowed for two days work for aiding the Enrolling Clerk the last two days of the session, at five dollars per day.

The following message was received from the House:

Hon. T. B. Wheeler, President of the Senate:

Sir—I am instructed by the House to inform the Senate that the House adopted the following:

Resolved, That a committee of three members be appointed on the part of the House to act with a like number on the part of the Senate, to notify the Governor that the Twentieth Legislature is now about to adjourn sine die, and is ready to receive any communication he may desire to make, and that the Speaker has appointed Messrs. Browning, Johnson and Shelburne as said committee.

WILL LAMBERT,  
Chief Clerk.

## SPECIAL JOINT COMMITTEE.

SENATOR BURGESS,

Chairman of the Special Joint Committee, upon the part of the Senate, submitted the following report:

COMMITTEE ROOM. }  
AUSTIN, April 4, 1887. }

Hon. T. B. Wheeler, President of the Senate, and  
Hon. George C. Pendleton, Speaker of the House  
of Representatives:

Sirs—Your joint committee appointed to notify the Governor that the Twentieth Legislature is now about to adjourn, sine die, and that it is ready to receive any communication he may desire to make, beg leave to report that said duty has been performed.

All of which is respectfully submitted.

Respectfully,

BURGESS,  
WOODS,  
GREGG,  
Senate Committee.  
BROWNING,  
SHELburne,  
JOHNSON,  
House Committee.

## MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

EXECUTIVE OFFICE, }  
AUSTIN, April 4, 1887. }

Gentlemen of the Senate and House of Representatives:

At the conclusion of your labors, and before your final adjournment, I must be permitted to congratulate you and the people of the State upon the successful results of your long session. Coming together at a time and with duties devolving upon you not altogether auspicious for calm deliberation, you have the satisfaction of knowing, on your return to your homes and constituents, that you have earnestly endeavored to master the great difficulties confronting you on your assembling, and have left the impress of your zeal and your patriotism upon the statute books of the State, which will doubtless redound to her interests and her advancement. You have made reasonable provision for the preservation of order and the enforcement of the laws; you have given thoughtful and favorable consideration to the demands of labor and capital alike; rendered our election laws more effective

and expeditions in their results; throw additional safeguards around the collection and transmission of taxes; and devised better methods for securing strict economy and perfect fidelity in the expenditure of the public money; have increased the efficiency of our assessment laws by which the burdens of government should rest with comparatively equal weight upon all citizens alike; have given careful thought to the perfection of our beneficent system of education; have carefully investigated the different departments of your State government, and the charitable, educational and penal institutions of the State, in order that abuses, if detected, might be exposed; have formulated into law the public will that our youthful offenders may be separated from more mature criminals, and thereby be rendered more susceptible to moral influence and reformation; have provided a better system for the management and control of our funds for public education and charities, by the enactment of better regulations for the sale and utilization of our public lands.

These are only a few of the measures which have received your attention, and many others, here omitted, will in my judgment prove of equal advantage to the public interest. They are upon the statute book, and will speak for themselves.

But the patient industry displayed and the patriotic earnestness which has characterized your entire session, and the studied purpose exhibited by you to rush into no extreme legislation by which the development of the State might be retarded, are known only to yourselves and to those having close official connection and association with you.

In my limited experience and observation in public matters, I have never known a public body more faithful to the trusts reposed or more considerate of the interests of their constituents; and upon your departure for your homes, I most heartily express my gratification at the pleasant official associations I have had with your honorable bodies, and return you my thanks for the kind consideration you have uniformly shown me throughout our intercourse.

L. S. Ross, Governor.

The reading of the message elicited hearty applause.

(Senator Calhoun in the chair.)

#### SENATOR GLASSCOCK

Offered the following resolution:

Resolved, That the thanks of the Senate are hereby extended to the Secretary of the Senate and other officers of the Senate for the faithful discharge of all their duties.

Adopted.

(The President in the chair.)

The President signed in the presence of the Senate, after their titles had been read, the following bills:

Senate bill No. 209,

"An act to amend chapter 4, title 17, of the Revised Civil Statutes of the State of Texas, by adding thereto Article 410a."

Senate bill No. 201,

"An act to provide for the purchase of a site and the establishment, location, construction and maintenance of a State Orphan Asylum."

Senate bill No. 174,

"An act to amend section 1 of an act entitled 'an act prescribing and fixing the venue of suits against foreign corporations, joint stock companies or associations, or acting corporations or associations, doing business within this State, and to provide the mode of serving process on such corporations or associations,' approved March 31, A. D. 1885."

Senate bill No. 272,

"An act to regulate the shipment of freights, and to require railway companies to furnish sufficient cars to transport the same, and to provide penalties for failure so to do."

Senate bill No. 220,

"An act to carry into effect section 5, of Article 10, of Constitution of the State of Texas, prohibiting the consolidation of parallel or competing railroads, and to prescribe the penalty for the violation thereof."

Senate bill No. 251,

"An act to require occupation license to be posted, by persons, firms and corporations upon whom an occupation tax is levied, in their place of business, and to punish violation of the same."

Senate substitute for House bill No. 385,

"An act to postpone the sale of real and personal property of resident owners, for taxes assessed for the year A. D. 1886, until the first Monday in September, A. D. 1887."

Senate joint resolution No. 17,

"To amend section 4, article 6 of the Constitution of the State of Texas."

Senate joint resolution No. 26,

"To amend article No. 5, of the Constitution of the State of Texas."

Substitute House bill No. 445,

"An act to establish an asylum for the deaf and dumb and the blind, of the youth of the people of color of the State of Texas, and to provide for its government and maintenance, and making an appropriation therefor."

House bill No. 370,

"An act to create article 198a of chapter 2, title 8 of the Penal Code of Texas, for the punishment of persons who divulge the secrets of grand juries."

House bill No. 119,

"An act creating boards of equalization for cities and towns and defining their duties."

House bill No. 556,

"An act to amend chapter 18, section 18, of an act entitled 'an act to redistrict the State into judicial districts and fix the times for holding court therein, and to provide for the election of judges and district attorneys in said districts at the next general election, to be held on the first Tuesday after the first Monday in November, 1884.'"

House bill No. 441,

"An act to amend Article 1054, chapter 2, title 15, of the Code of Criminal Procedure."

House bill No. 529,

"An act to authorize the Governor to order through the proper officials the institution, prosecution or defense of any civil action or suit whenever he deems such course proper for the assertion or defense of any rights of the State, and to render to said officials such assistance as to him may seem necessary or expedient."

House substitute for Senate bill No. 54,

"An act to authorize counties to levy, construct or contract for the use of bridges, and to issue bonds and levy taxes to pay for the same, and to repeal all laws in conflict herewith."

House bill No. 607,

"An act for the relief of W. T. Perry and to relinquish the title of the State of Texas to certain lands to the said Perry under a judgment obtained in the district court of Cooke county, on the ninth day of December, 1867, against J. M. and E. C. Perry."

House bill No. 271,

"An act to provide for the sale of a certain class of bonds and the re-investment of their proceeds."

House bill No. 608:

"An act for the relief of S. S. Randall, William Walker, G. W. Gaines,

W. W. Parr, Jno. W. Stephens, L. A. Starke, S. W. Bettijohn, O. B. Robinson, E. J. Hughes, J. S. Storkedge, and the relief such parties by whom and through whom they hold."

House bill No. 576.

"An act to create out of Tom Green county a new county, to be known as Glasscock county, and provide for its organization."

House bill No. 448.

"An act making an appropriation for the support of the State government for the year beginning March 1, 1887, and ending February 28, 1889, and for other purposes."

The following message was received from His Excellency the Governor, giving the captions of the bills passed by the present Legislature and already approved by himself to date which, with the bills just mentioned as signed by the President, complete a full list of the bills passed by the Legislature.

EXECUTIVE OFFICE. }

AUSTIN, April 4, 1887. }

To the Honorable Senate and House of Representatives:

Gentlemen—I herewith transmit to your honorable bodies a list of all the bills and joint resolutions passed by the present session of the Twentieth Legislature, and signed by me up to this time:

Substitute House bill No. 4,

An act making an appropriation for the mileage and per diem pay of the members and the per diem pay of the officers and employes of the Twentieth Legislature.

Substitute House bill No. 5,

An act making an appropriation to defray the contingent expenses of the Twentieth Legislature.

Substitute Senate bill No. 74,

An act to be entitled an act to provide for the relief of citizens of Texas suffering by reason of the drouth, to make an appropriation therefor, and to prescribe the manner in which it shall be distributed.

Substitute House bill No. 23,

An act to create the county of Brewster and to provide for its organization.

Senate bill No. 21,

An act to amend article 4, title 2, of the Revised Civil Statutes of the State of Texas, approved March 31, 1885, concerning the administration of affidavits, oaths and affirmations.

Senate bill No. 12,

An act to amend article 617, chapter 2, Code of Criminal Procedure.

Senate bill No. 36,

An act to repeal chapter 45 of the General Laws of the State of Texas, passed by the Seventeenth Legislature of the State of Texas, and approved March 15, 1881.

Senate bill No. 103,

An act to authorize railway companies to abandon certain portions of their roads near the coast, when their termini are at points where towns being county sites have been destroyed by storms and cyclones.

House bill No. 51,

An act to amend article 314, chapter 4, title 9, of the Penal Code of the State of Texas.

House bill No. 47,

An act to amend article 528, chapter 7, title 15, of the Penal Code.

House bill No. 304,

An act extending for ten years the payment of the principal of the purchase money for lands purchased under the two acts of the Legislature therein named.

House bill No. 113,

An act to divide the western portion of Tom Green county into six new counties.

House bill No. 7,

An act to prohibit and punish dealing in futures, and to punish persons for permitting their premises to be used to carry on such business, and to repeal an act entitled "an act to amend chapter 2, title 11, of the Penal Code of the State of Texas," adding thereto article 354a, approved March 31, 1885.

Senate bill No. 31,

An act to amend article 1636 of the Revised Civil Statutes of Texas, adopted by the regular session of the Sixteenth Legislature.

Senate bill No. 45,

An act to amend an act entitled an act to amend article 3602, chapter 10, title 71, of the Revised Civil Statutes of the State of Texas, relating to hiring of convicts, approved May 4, 1882.

Senate bill No. 275,

An act to create the office of district attorney for the sixth judicial district of the State of Texas, and to regulate the respective duties of such district attorney and of the county attorneys in said district.

House bill No. 88,

An act to establish the western boundary of Edwards county.

Senate bill No. 51,

An act to make it penal to prevent or attempt to prevent any person from engaging or remaining in or performing the duties of any lawful employment, and to fix a penalty therefor.

Senate bill No. 15,

An act to make it penal to use language or be guilty of conduct reasonably calculated to provoke a breach of the peace, and to prescribe the punishment therefor.

Senate bill No. 16,

An act to amend article 549, chapter 10, title 15 of the penal code of the State of Texas.

Senate bill No. 14,

An act to define and punish the conversion of personal property by hirers, borrowers and other bailees.

Senate bill No. 73,

An act to amend article 678, chapter 3, title 17, of the penal code of the State of Texas.

House bill No. 383,

An act to release certain inhabitants of Sabine Pass city, county of Jefferson, from the payment of taxes assessed and now due for the year A. D. 1886, in consequence of a great public calamity.

Senate bill No. 40,

An act to amend chapter 18 of the Revised Civil Statutes of the State of Texas, providing for statement of facts in certain events, by adding thereto article 1379a.

House bill No. 16,

An act to amend section 1 of an act entitled an act to protect mechanics, laborers and operatives on railroads against the failure of owners, contractors and sub-contractors or agents to pay their wages when due, and provide a lien for such wages, approved February 18, 1879.

Substitute House bill No. 32,

An act to provide for the charging of the estate of a deceased person by virtue of the joint obligation of such deceased person with another.

Substitute House bill No. 24,

An act to extend the time within

which lands that have been sold for taxes and bought in by the State may be redeemed.

Substitute House bill No. 295,

An act making appropriations for deficiencies in the appropriations heretofore made for payment of expenses in support of the government from March 1, A. D. 1885, to February 28, A. D. 1887, being for payments of claims registered in the Comptroller's office, in accordance with law, and for outstanding claims not registered, and other deficiencies.

Senate bill No. 66,

An act to amend article 605, chapter 2, title 8, of the Code of Criminal Procedure for the State of Texas.

Substitute Senate bill No. 50,

An act to require railway companies to give their employes thirty days notice before reducing their wages, and to provide a remedy for the violation thereof.

House bill No. 125,

An act to provide for a more speedy counting of the vote at special and general elections, and to pay the judges and clerks for the same.

House bill No. 115,

An act to restore the civil jurisdiction to the county court of Bosque county, and to repeal all laws in conflict therewith.

Substitute House bill No. 375,

An act to amend section 2 of an act to redistrict the State into judicial districts and to fix the times for holding courts therein, and to provide for the election of judges and district attorneys in said districts at the next general election to be held on the first Tuesday after the first Monday in November, 1884, approved on the ninth day of April, 1883; and also to amend section 4 of an act entitled an act to redistrict the State into judicial districts and to fix the time for holding courts therein, and to provide for the election of judges and district attorneys in said districts at the next general election to be held on the first Tuesday after the first Monday in November, 1884, approved March 31, 1885.

House bill No. 74,

An act to amend Article 425 of the Penal Code of the State of Texas.

Senate bill No. 129,

An act to authorize counties, cities and towns in the State which have issued bonds to aid in the construction of railroads and other internal improvements, to adjust their rate of taxation so as to provide for the payment of the interest and sinking fund upon the same.

Substitute Senate bill No. 52,

An act to provide for the separation or partition of adjoining fences, and to provide a penalty for a violation of the provisions of this act.

Senate bill No. 70,

An act to amend Article 4489, title 90, of the Revised Civil Statutes of the State of Texas.

Senate bill No. 116,

An act to repeal articles 992, 993, 994, 995, 996 and 1001, and to amend articles 988, 1002, 1006, 1008 and 1012 of chapter 1, title 13, of the Code of Criminal Procedure, and Article 1000 of the Code of Criminal Procedure, as amended by chapter 12 of the general laws of the Eighteenth Legislature of the State of Texas.

Substitute House bill No. 55,

An act to fix the times for holding the district courts in the several counties comprising the twenty-fifth judicial District of Texas, and to repeal all laws and parts of laws in conflict with the provisions of this act.

House bill No. 103,

An act to create article 669a, of title 8, chapter 5, of the Code of Criminal Procedure of the State of Texas, so as to provide the order in which defendants charged with the same offense shall be tried.

House bill No. 39,

An act to amend section 46, chapter 25, of the acts of 1885, entitled, "an act to amend chapter 79 of the acts of 1883, entitled 'an act to amend section 46 of an act to encourage stockraising and to protect stockraisers,' approved April 22, 1879, and amended April 4, 1881, and April 12, 1883."

House bill No. 184,

An act to amend article 3635, title 73, of the Revised Civil Statutes.

House bill No. 122,

An act to amend section 13 of an act entitled an act to amend section 13 of

an act to redistrict the State into judicial districts and to fix the times for holding court herein, and to provide for the election of judges and district attorneys in said districts at the next general election, to be held on the first Tuesday after the first Monday in November, 1884, approved March 31, 1885.

Substitute House bill No. 95,  
An act to amend Article 178, chapter 4, title 6, of the Penal Code of the State of Texas.

House bill No. 96,  
An act to amend an act entitled an act to amend Article 951, title 24, of the Revised Statutes of the State of Texas, approved March 27, 1883.

House bill No. 53,  
An act to amend Article 324, title 10, chapter 1, Penal Code.

House bill No. 73,  
An act to amend Article 165, chapter 4, title 6, of the Penal Code of the State of Texas.

House bill No. 377,  
An act to authorize cities and towns to levy and collect taxes for the construction or purchase of public buildings, water works, sewers, improvements of streets and other permanent improvements, and to issue bonds therefor, and to repeal all laws in conflict therewith.

Senate bill No. 114,  
An act authorizing wills and testaments, and testamentary instruments of any character which have been probated in any other State or territory of the United States, to be recorded as muniments of title to real property in this State conveyed thereby.

Substitute Senate bill No. 44,  
An act to require railway corporations, when they fence their right of way, or where they have already fenced it, to leave or make certain crossings or openings therein, and to provide a penalty for the violation hereof.

Substitute House bills Nos. 43, 45,  
An act to amend an act entitled "an act to amend chapter 2, Article 566, of the Revised Civil Statutes of the State of Texas," approved March 27, 1885.

House bill No. 595,  
An act to amend article 352, title 17,

chapter 2, of the Revised Civil Statutes of the State of Texas, as amended by an act approved April 6, 1881.

House bill No. 60,  
An act to amend Article 428 of section 1 of an act entitled "an act to amend Articles 423, 424, 425, 426, 427, 428, 429 and 430a, and to create Article 426½, and to repeal Article 430, of chapter 5, title 13, of the Penal Code of the Revised Statutes, for the protection of fish and game, approved March 15, A. D. 1881.

House bill No. 135,  
An act to amend section 38 of an act entitled an act to redistrict the State into judicial districts and fix the times for holding court therein, and to provide for the election of judges and district attorneys in said districts at the next general election, to be held on the first Tuesday after the first Monday in November, 1884, approved April 9, 1883.

Senate bill No. 239,  
An act to amend Article 2899 of the Revised Civil Statutes of the State of Texas in relation to the recovery of damages for injuries resulting in death.

Senate bill No. 271,  
An act requiring sheriffs to report to the Adjutant General, upon adjournment of the district courts in the several counties of this State, certified lists of all fugitives under indictment for felony in said counties, to provide the means and mode of securing such lists, and to prescribe the punishment for a failure or refusal to forward them.

House bill No. 545,  
An act to amend articles 1006 and 1008 of an act passed by the Nineteenth Legislature, approved March 26, 1885, entitled an act to amend articles 1006, 1007 and 1008 of the Revised Civil Statutes of the State of Texas, approved February 21, 1879, passed by the Eighteenth Legislature, and approved April 9, 1883.

House bill No. 507,  
An act to create the Forty-first judicial district, and to provide for the appointment of a district judge and district attorney therein, and to provide the times of holding the terms of the district courts in said district.

Senate bill No. 147,

An act to amend article 62, chapter 2, title 7, of the Revised Civil Statutes of the State of Texas.

Senate bill No. 196,

An act to repeal Article 190, title 3, chapter 8, of the Code of Criminal Procedure of the State of Texas.

Senate bill No. 2,

An act to restore to and confer upon the county courts of Live Oak, Karnes, La Salle, Kendall, Coryell, Panola and Throckmorton counties the civil and criminal jurisdiction heretofore belonging to said courts under the Constitution and General Statutes of the State, to conform the jurisdiction of the district courts of said counties to such change, and to repeal all laws in conflict with the provisions of this act.

Senate bill No. 249,

An act to provide for the venue of suits for damages growing out of attachment and sequestration suits.

Senate bill No. 289,

An act to amend article 1652 of the Revised Civil Statutes of the State of Texas, relating to the descent and distribution of estates.

Senate bill No. 166,

An act to relieve the citizens of Calhoun county from the payment of taxes due to the State of Texas for the year A. D. 1886.

Senate bill No. 291,

An act to authorize any city or town in this State to compromise existing indebtedness, and to issue new bonds to be sold or exchanged for the purpose, and to provide for the efficient collection of taxes to pay the principal and interest of such new bonds, and to provide for the appointment of receivers for said municipal corporations during the pendency of negotiations for such compromise.

Senate bill No. 149,

An act to diminish the civil and criminal jurisdiction of the county courts of Orange, Concho, Tyler, Greer and Mason counties, and to conform the jurisdiction of the district courts of said counties to such change.

Senate bill No. 141,

An act to diminish the civil jurisdiction of the county court of Brazos county, and to conform the jurisdiction

of the district court of said county to said change.

House bill No. 211,

An act to amend articles 4604 and 4605, title 93, chapter 4, of the Revised Statutes of the State of Texas, to provide for preventing certain animals from running at large in counties and subdivisions.

Senate bill No. 232,

An act to amend article 353, of chapter 3, title 11, of the Penal Code of the State of Texas.

House bill No. 250,

An act to compel railroad companies to provide double decked cars for shipment of goats, sheep, hogs and calves and to prevent discrimination against shippers thereof, and to provide penalties therefor.

House bill No. 330,

An act to amend article 1512, chapter 1, title 31, of the Revised Civil Statutes of the State of Texas.

House bill No. 101,

An act to amend an act to amend sections one (1) and four (4) of an act to regulate the sale of spiritous, vinous or malt liquors or medicated bitters; to fix the rate of occupation taxes upon all persons, firms or associations of persons engaged in the sale of spiritous, vinous or malt liquors or medicated bitters; to define the manner and time of collecting such tax, and to affix penalties for failure to pay the same; and to repeal all laws and parts of laws in conflict with the provisions of this act, approved March 11, 1881, approved April 4, 1881; and to amend an act to regulate the sale of spiritous, vinous or malt liquors or medicated bitters; to fix the rate of occupation tax upon all persons, firms or associations of persons engaged in the sale of spiritous, vinous or malt liquors or medicated bitters; to define the manner and time of collecting such tax, and to fix penalties for failure to pay the same; and to repeal all laws and parts of laws in conflict with the provisions of this act, approved March 11, 1881.

Senate bill No. 77,

An act to provide for the sale of such appropriated public lands situated in the organized counties of the State of Texas as contain not more than six hundred and forty acres.

Senate bill No. 306,

An act to amend an act entitled an act to redistrict the State into judicial districts, and to provide for the election of judges and district attorneys of said districts at the next general election, to be held on the first Tuesday after the first Monday in November, 1884, approved April 9, 1883.

Senate bill No. 259,

An act to amend an act passed by the regular session of the Nineteenth Legislature, entitled an act to amend section 9 of an act entitled an act to redistrict the State into judicial districts, and fix the times of holding court therein, and to provide for the election of judges and district attorneys at the next general election, to be held on the first Tuesday after the first Monday in November, 1884, passed at the regular session of the Eighteenth Legislature.

House bill No. 129,

An act to amend article 339, chapter 4, title 10. of the penal code.

House bill No. 21,

An act to establish a house of correction and reformatory, and to provide for its government and maintenance, and to make an appropriation therefor.

Senate bill No. 188.

An act to amend an act to amend Article 4761 of the Revised Civil Statutes of the State of Texas, approved April 24, 1879.

Senate bill No. 239.

An act to amend an act to amend an act entitled an act to redistrict the State into judicial district, and fix the times for holding court therein, and to provide for the election of judges and district attorneys in said districts at the next general election to be held on the first Tuesday after the first Monday in November, 1884, approved April 9, 1883, approved March 24, 1885; to create the forty-third judicial district of the State of Texas, fix the times for holding court therein, and provide for the appointment of a district judge for said district.

Senate bill No. 328.

An act to amend an act entitled an act to amend section 16 of an act entitled an act to redistrict the State into judicial districts, and to fix the times for holding court therein, and to pro-

vide for the election of judges and district attorneys in said district at the next general election, to be held on the first Tuesday after the first Monday in November, 1884, approved April 9, 1883, approved March 30, 1885.

Senate bill No. 250.

An act to amend chapter 4, title 29, of the Revised Civil Statutes of the State of Texas, by adding thereto Article 1199a, so as to define the venue of suits upon breach of warrants of title to lands.

House bill No. 559.

An act to repeal chapter 95 of the General Laws of the State of Texas, passed at the regular session of the Sixteenth Legislature.

Substitute House bill No. 257.

An act to amend Article 373, chapter 5, title 11, of the Penal Code of the State of Texas, and to add Articles 378a, 378b, 378c, 378d and 378e to said chapter and title, prohibiting the unlawful selling of intoxicating liquors, and defining and prohibiting blind tigers, and providing rules of evidence and penalties therefor.

House bill No. 31.

An act to require railroads to pay their employes promptly and prescribing a penalty for failure to pay them.

House bill No. 112.

An act to prevent the detention of any railroad passenger train, freight train, or construction train running upon any railroad in this State, or any injury thereto, or to the track or other property of any railroad in this State, and to prescribe a punishment therefor.

Senate bill No. 122.

An act to amend Article 1985, chapter 17, title 37, of the Revised Civil Statutes of the State of Texas.

Senate bill No. 342.

An act to designate what counties shall compose the twenty-ninth judicial district of the State of Texas, and to fix the times of holding court therein.

Senate bill No. 281.

An act to create a commission of arbitration and award, and define the powers and duties thereof, and to make an appropriation to pay the salaries of the judges thereof.



Senate bill No. 5.

An act to amend Article 1653 of title 33 of the Revised Civil Statutes of the State of Texas.

Senate bill No. 128.

An act to authorize counties, cities and towns to compromise and adjust certain bonded indebtedness, and to provide for the levy and collection of taxes to pay the interest and sinking fund.

Senate bill No. 336.

An act to reorganize the thirty-first, thirty-second, thirty-third, thirty-fifth and thirty-ninth judicial districts, and to create the forty-second judicial district of the State of Texas, and to fix the time of holding courts therein; and to provide for the appointment and election of judges and district attorneys in the thirty-second and forty-second judicial districts, and to repeal all laws and parts of laws in conflict herewith.

Substitute Senate bill No. 219.

An act to provide for the sale of all lands heretofore or hereafter surveyed and set apart for the benefit of the public free schools, the university and the several asylums, and the lease of such lands, and of the public lands of the State, and to prevent the free use of, occupancy, unlawful enclosure or unlawful appropriation of such lands, and to prescribe and provide adequate penalties therefor.

Senate bill No. 116.

An act to amend title 20 of the Revised Civil Statutes of the State of Texas, entitled private corporations, by adding another chapter thereto, to be styled chapter 14, authorizing the construction, owning and operating deep water channels and docks.

Senate bill No. 91.

An act to amend article 849, chapter 1, title 10, of the Code of Criminal Procedure of the State of Texas.

House bill No. 548.

An act to amend Article 4333 of the Revised Civil Statutes as amended by an act approved March 30, 1881.

House bill No. 387.

An act to create the counties of Sutton and Schleicher from the county of Crockett.

Senate bill No. 117.

An act to amend Articles 3227, 3228,

3229, 3230, 3233, 3234, 3236 and 3238 of title 63 of the Revised Civil Statutes of the State of Texas, and to add Article 3239a to said title, providing for contesting an election under the local option law.

House bill No. 355.

An act to create a bureau of agriculture for the State of Texas, and to add it to the Department of Insurance, Statistics and History; to properly designate said department and its head, and to prescribe the duties belonging to it relating to agriculture.

House bill No. 602.

An act to create the Martin, Scurry, Crosby and Knox land district.

Substitute Senate bill No. 200.

An act to authorize the holders and owners of patents issued to lands in Greer county and other reservations to surrender their patents for cancellation, and to authorize the Commissioner to issue new certificates in such cases.

Senate bill No. 325.

An act to amend Article 1420, chapter 20, title 29, of the Revised Civil Statutes of the State of Texas.

Substitute Senate bill No. 191,

An act to provide for the appointment of district and county clerks pro tem. in certain cases.

Senate bill No. 134,

An act to amend article 568, title 20, chapter 2, of an act to adopt and establish the Revised Civil Statutes of the State of Texas.

Substitute Senate bill No. 195,

An act to regulate the time and manner of taking and catching fish, oysters crabs and shrimp within the limits of the bays and tributaries within the limits of Texas up to tide water and also from the waters of the Gulf of Mexico along the coast of Texas.

Senate bill No. 268,

An act to amend article 4823 and 4843 of the Revised Civil Statutes of the State of Texas, in relation to trials of the right of property.

Senate bill No. 222,

An act to amend article 765, title 17, chapter 13, of the penal code of the State of Texas, and to add thereto articles 765a and 765b.

tions 2, 3, 14, 19, 23, 54, 116, 122 and 127 thereof, and by adding thereto sections 73a, 96a, 131a and 132a.

Senate bill No. 290,

An act amendatory of and supplementary to an act entitled an act to incorporate the city of Galveston, and to grant a new charter, approved August 2, 1876, and amended April 5, 1881, March 7, 1883, and February 26, 1885, by adding thereto title No. 13, authorizing the construction of sea walls and breakwater and for that purpose authorizing the exercise of the rights of eminent domain, the issuance of bonds and the levy of a tax, and granting in aid of said works certain rights and privileges in and to the land upon the Gulf shore opposite said city, from the southwest corner of the city league to the east end of Galveston island.

Senate bill No. 206,

An act to authorize William M Wilson to sue the State of Texas in the district court of Travis county, Texas, to determine whether or not the State of Texas is indebted to him in any sum on account of the building and construction of the State penitentiary at Rusk.

House bill No. 463,

An act for the relief of the heirs of Alexander Farner, deceased.

#### RESOLUTIONS.

House Joint Resolution No. 2.

Joint resolution to amend section 20 of Article 6 of the State Constitution.

Substitute House Joint Resolution No. 1.

Joint Resolution to amend section 23, Article 3, of the Constitution of the State of Texas.

Senate Joint Resolution No. 4.

Joint resolution to request the Attorney General to at once institute suit in the district court in Travis county, Texas, against all railroad companies, or any chartered company or association of individuals, for the forfeiture and recovery of all lands and grants made and patented to them by the State, and who have obtained aid from this State in the donation of lands under their respective charters, or under a general or special law of this State, who have failed to comply

with the law or requirements in their respective charters to alienate such lands or have made such alienation, in fraud of the rights of the State.

House Joint Resolution No. 18.

Joint Resolution to amend section 11 of Article 7 of the Constitution of the State of Texas.

Substitute Senate Joint Resolution No. 3

Senate Joint Resolution, the submission of an amendment to section 12 of Article 8 of the Constitution of the State of Texas.

L. S. Ross,  
Governor.

SENATOR FIELD,

Chairman Committee of Enrolled Bills, submitted the following reports:

COMMITTEE ROOM, }  
AUSTIN, April 4, 1887. }

Hon. T. B. Wheeler, President of the Senate.

Sir—Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 269, being:

“An act to amend chapter 4, title 17, of the Revised Civil Statutes of the State of Texas, by adding thereto Article 410a,” and find the same correctly enrolled, and have this day, at 10:30 o'clock a. m., presented the same to the Governor for his signature.

FIELD, chairman.

COMMITTEE ROOM, }  
AUSTIN, April 4, 1887. }

Hon. T. B. Wheeler, President of the Senate.

Sir—Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 261, being,

“An act to provide for the purchase of a site for and the establishment, location, construction and maintenance of a State Orphan Asylum,” and find the same correctly enrolled, and have this day, at 10:30 o'clock a. m., presented the same to the Governor for his signature.

FIELD, chairman.

COMMITTEE ROOM, }  
AUSTIN, April 4, 1887. }

Hon. T. B. Wheeler, President of the Senate.

Sir—Your committee on Enrolled Bills have carefully examined and compared Senate bill No. 174, being,

“An act to amend section 1 of an act entitled ‘an act prescribing and fixing

the venue of suits against foreign corporations, joint stock companies or associations, or acting corporations or associations, doing business within this State, and to provide the mode of serving process on such corporations or associations,' approved March 31, A. D. 1885," and find the same correctly enrolled, and have this day, at 10:30 o'clock a. m., presented the same to the Governor for his signature.

FIELD, chairman.

COMMITTEE ROOM, }  
AUSTIN, April 4, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 272, being

"An act to regulate the shipment of freights and to require railway companies to furnish sufficient cars to transport the same, and to provide penalties for failures to do so, and find the same correctly enrolled, and have this day, at 10:30 o'clock a. m., presented the same to the Governor for his signature.

FIELD, chairman.

COMMITTEE ROOM, }  
AUSTIN, April 4, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 220, being

"An act to carry into effect Section 5, of Article 10, of the Constitution of the State of Texas, prohibiting the consolidation of parallel or competing railroads, and to prescribe the penalty for the violation thereof, and find the same correctly enrolled, and have this day, at 10:30 o'clock a. m., presented the same to the Governor for his signature."

FIELD, chairman.

COMMITTEE ROOM, }  
AUSTIN, April 4, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 251, being "An act to require occupation license to be posted, by persons, firms and corporations upon whom an occupation tax is levied, in their places of business, and to punish violations of the same," and find the same correctly enrolled, and have this day, at 10:30 o'clock a. m., presented the same to the Governor for his signature.

FIELD, chairman.

COMMITTEE ROOM, }  
AUSTIN, TEXAS, April 4, 1887. }

To the Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Enrolled Bills have carefully examined and compared Senate Substitute House bill No. 385, being "An act to postpone the sale of real and personal property of resident owners for taxes assessed for the year A. D. 1886 until the first Monday in September, A. D. 1887," and find the same correctly enrolled, and have this day, at 10:30 o'clock a. m., presented the same to the Governor for his signature.

FIELD, chairman.

COMMITTEE ROOM, }  
AUSTIN, April 4, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Enrolled Bills have carefully examined and compared Senate joint resolution No. 17, being

"An act to amend section 4, article 6 of the Constitution of the State of Texas," and find the same correctly enrolled, and have this day, at 10:30 o'clock a. m., presented the same to the Governor for his signature.

FIELD, chairman.

COMMITTEE ROOM, }  
AUSTIN, TEXAS, April 4, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Enrolled Bills have carefully examined and compared Senate joint resolution No. 26, to amend Article No. 5 of the Constitution of the State of Texas, and find the same correctly enrolled, and have this day, at 10:30 o'clock a. m., deposited the same in the State department.

FIELD, chairman.

#### SENATOR GARRISON

Sent up the following communication from the Secretary of the Senate, which was ordered printed in the Journal:

SENATE CHAMBER, }  
AUSTIN, April 4, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Dear Sir—As I will retire from the position of Secretary with the completion of my present legislative duties I wish to you, and through you to the honorable Senators, to make a few remarks with regard to my position—its duties, history, etc., which I desire to have entered on the Senate journals for the use of my successors and others.

During the days of the Republic I find, by consulting the records, that the chief clerical officers of the Senate consisted of the Secretary and an assistant secretary, and that in the House of Representatives they consisted of the Chief Clerk and an assistant clerk.

The first time I find a Secretary and both a first and second assistant secretary, in the history of Texas legislation, was in the constitutional convention of 1845. Some Legislatures after this, though, had only a Secretary and assistant secretary, but before many Legislatures it became common to have a Secretary and both first and second assistant secretaries in the Senate, and a Chief Clerk and both first and second assistant clerks in the House of Representatives.

I find when the chief clerical positions of the Republic and State legislative bodies had only a Secretary and an assistant secretary that the assistant secretary kept the daily journals, and that he and the Secretary together kept what is now called the calendar, and performed all the other duties of the office, and it was so in the House with regard to Chief Clerk and the assistant clerk. That when both the first and second assistant secretaries were added the second assistant did the journalizing and the first assistant aided him and the Secretary in the performance of their duties, and among which were the duties of the office now known as that of the calendar clerk, the Secretary being the head and manager of the whole, and being responsible for the performance of these duties, and this rule also has generally prevailed in the House of Representatives.

The office now known as that of Calendar Clerk has been created since the war, and has always been considered a part of the Secretary's office. The Secretary always instructs and controls this officer, and keeps up the office during his absence, or has it done, and this has always been the rule. My experience as a legislator and legislative official extends back for nearly fifteen years, and that of Major Leigh Chalmers, the first Secretary under whom I worked, extended back for twenty years or more into antebellum legislation, and his experience is the same as mine on this subject.

The assistant positions have been invariably called first and second assistant secretaries, and it is best to continue it as such, and the Secretary to

have full control of them and the calendar, and for which hundreds of reasons could be given.

The first is precedent, for it has always been so from the provisional government down to the present, so far as the duties and the authority of the Secretary are concerned, and precedents should never be changed without strong and practical reasons therefor.

2. The Secretary is compelled to be a man of legislative experience, and under his control useless and foolish changes and innovations will be obviated, precedent observed and regularity maintained. This position is generally held by the same persons for long periods of time, while the subordinate places in this office are often changing, being seldom that the same persons fills one of them longer than one or two terms. In the history of Texas legislation four secretaries have held nearly all the time for over thirty years, while in my experience of only twelve or fifteen years, I have seen from six to eight different persons in some of these subordinate positions, and if it had not been for the Secretary the records and calendar would often have been unintelligible to even legislators.

3. It is well known to all legislators that men are often elected to these subordinate positions without any experience or peculiar fitness for the place selected to be filled, and the parties should be under the control of an experienced official for training. The first assistant might have had the experience and training that fit him for journalizing, and the second assistant might be a good reader and possess other qualities that would peculiarly fit him to aid the secretary in other matters. So the secretary could control and use them to the best advantage.

4. Everything should have a head. In our theory of legislative positions, the Sergeant-at-Arms is the head of his department, and might be termed the sheriff of each body. He has under his charge the Assistant Sergeant-at-Arms, who might be called the deputy sheriff; also the pages and porters, and has control of the House, the stationery, postage, furniture, etc. The Doorkeeper has under him the Assistant Doorkeeper, and has charge of the doors of the Senate chamber or Representative hall, as the case may be. The Enrolling Clerk is under the control of the Enrolling Committee and its chair-

man. The Engrossing Clerk is under the control of the Engrossing Committee and its chairman; and each committee clerk is under the control of his committee or chairman. Then the Secretary is the head or has control of the First and Second Assistant Secretaries and the Calendar Clerk and such assistants as each may have; and all are under the control of the Senate and the President. So you will see that each department has its head and is responsible to its chief.

Right here, I wish to give my experience in this respect. In the Fifteenth and Sixteenth Legislatures, I was second assistant secretary, and kept the daily journals of those Legislatures. I worked under Major Chalmers, Captain Field and Colonel Whitehead as secretaries and acting secretaries. I performed my duties under their advice and control, consulting the old records for forms, etc., and during this time, and they will bear me out in the assertion, that there was not an error in the journals, unless it was typographical. In the Seventeenth Legislature, I was first assistant and acting secretary, and I aided the second assistant in his labors, which official was our present excellent first assistant secretary, and the journal was well kept by said official.

In the Eighteenth Legislature my second assistant, W. M. Hunter, had no experience when he commenced, but I take pleasure in referring to the journal of that session as proof of his efficiency. My first assistant then, who is C. M. Boynton, Esq., who fills the place yet, was experienced and well qualified for the place, and I required him to aid the second assistant, and to correct and compare the journals with the notes he took of the business of the session before the journal went to press, and to correct the same after printed as to typographical errors, and I can truthfully say that it was a model record, and almost entirely free of errors. And here I will state that no errors have ever, in all my legislative experience, crept into the journals except when the second assistant tried to act independent of the Secretary and disregarded his regulations and instructions.

In this Legislature all these assistants have done remarkably well, and I apprehend that our journals will be satisfactory in all respects, if properly indexed, so that its contents will be easy of reference.

Here I wish to particularly recom-

mend Sam. H. Johnson, Assistant Journal Secretary, for his care, industry and proficiency.

I can specially speak not only of the Journal department but of the Calendar also. The Calendar Clerk, Judge R. G. Childress, has been very careful, and under our instruction has his department in excellent condition. Not a bill has been lost or stolen during the session, and the history of every bill and resolution can be readily found on inspecting his records.

I wish to return my thanks to yourself and all the Senators for their uniform kindness and courtesy to me, and which I will ever appreciate through life. And I also return to the other officers my kindest thanks for their respectful treatment of myself; and I can assure them it is much appreciated.

In conclusion, I will append a resolution I prepared in the early part of the session, which contains the very essence of the practice in this office from the beginning of the government down to the present, and which was not then offered because all the presiding officers of this Senate sustained me in the position that I was authorized to control both the Journal and Calendar departments. The resolution is as follows:

Resolved by the Senate, That the First and Second Assistant Secretaries and the Calendar Clerk belong to the Secretary's department; that he is authorized to control and superintend them in the discharge of their respective duties, and shall be held responsible for the same.

WM. NEAL RAMEY,  
Secretary of the Senate.

#### THE PRESIDENT

Announced that the hour set for adjournment had arrived, when he delivered a very appropriate and feeling address, in which he returned thanks to the Senators and officers of the Senate for their uniform kindness and courtesy to himself. He said he had had no previous legislative experience, but had done his utmost to learn and discharge his duties, and as to how he had performed the same he left for the Senate and others to determine; but that he would always entertain the kindest regard for the Senators and officers with whom he had been associated during the laborious session which had just closed, and that one and all would receive a kind welcome should they visit his western home.

The worthy Chaplain of the Senate, Rev. Dr. R. K. Smoot, then delivered an able, appropriate and affecting prayer, during the delivery of which the whole Senate stood with bowed heads, profoundly impressed with the solemn appeals to the Father of all

Mercies for the future prosperity and well being of the members and officials of the Senate, and their safe return to their homes and families.

The President of the Senate then declared the body adjourned sine die.